

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST EMPLOYER**

DO NOT WRITE IN THIS SPACE

Case

3-CA-312267

Date Filed

2/16/2023

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Tesla, Inc.		b. Telephone No. 716-319-9600
		c. Case No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 13101 Harold Green Rd., Austin, TX 78725  1339 South Park Ave., Buffalo, NY 14220	e. Employer Representative Elon Musk, CEO  See Attachment	g. e-mail erm@tesla.com
h. Number of workers employed 2,000		
i. Type of Establishment (factory, mine, wholesaler, etc.) Factory		
j. Identify principal product or service Renewable Energy Technology		

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

## 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

See Attachment

## 3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Rochester Regional Joint Board, Workers United

4a. Address (Street and number, city, state, and ZIP code) 2495 Main St., Suite 556 Buffalo, NY 14214	4b. Telephone No. 585-473-3280
	4c. Case No.
	4d. Fax No.
	4e. e-mail gbonadonnajr@rrjb.org

## 5. Full name of national or international labor organization of which it is an affiliate or constituent (to be filled in when charge is filed by a labor organization)

Workers United, a/w SEIU

## 6. DECLARATION

I declare that I have read the above charge and that the statements  
are true to the best of my knowledge and belief.

/s/ Michael Dolce

Michael Dolce, Attorney

(signature of representative or person making charge)

(Print/type name and title or office if any)

135 Delaware Ave., Suite 502, Buffalo, NY 14202

February 15, 2023

Address

Date

Telephone No.

716-912-3480

Office, if any, Case No.

Fax No.

e-mail

mdolce@hayesdolce.com

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA) 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

## **Attachment to Charge Against Employer**

### **Section 1.e - Employer Representatives**

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) [@tesla.com](#)


(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) [@tesla.com](#)

### **Section 2 – Basis of Charge**

On February 15, 2023, one day after workers announced their Union campaign at the Tesla Gigafactory 2 facility in Buffalo, New York, the above-named Employer terminated dozens of individuals from its Autopilot Department, including but not limited to:

(b) (6), (b) (7)(C)



The above-named Employer terminated these individuals in retaliation for union activity and to discourage union activity.

The Union seeks injunctive relief under Section 10(j) of the Act to prevent irreparable destruction of employee rights resulting from Tesla's unlawful conduct.

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case <b>03-CA-312352</b>	Date Filed <b>2/17/2023</b>

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Tesla, Inc.		b. Tel. No. 716-319-9600
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 13101 Harold Green Rd., Austin, TX 78725  1339 South Park Ave., Buffalo, NY 14220	e. Employer Representative Elon Musk, CEO; (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)@tesla.com; (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)@tesla.com	g. e-mail <b>erm@tesla.com</b>
		h. Number of workers employed 2,000
		i. Type of Establishment (factory, mine, wholesaler, etc.) Factory
j. Identify principal product or service Renewable Energy Technology		

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

## 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

In February 2023, immediately following workers announcing a union campaign at the Tesla Gigafactory 2 facility, the above-named employer implemented a policy prohibiting workers from recording interactions to which they were a party. The policy violates the Act on its face, and the employer implemented it to prevent protected concerted activity and/or union activity.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)  
Rochester Regional Joint Board, Workers United

4a. Address (Street and number, city, state, and ZIP code) 2495 Main St., Suite 556 Buffalo, NY 14214	4b. Tel. No. 585-473-3280
	4c. Cell No.
	4d. Fax No.
	4e. e-mail gbonadonnajr@rrjb.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)  
Workers United, a/w SEIU

## 6. DECLARATION

I declare that I have read the above charge and that the statements  
are true to the best of my knowledge and belief.

Ian Hayes, Attorney

(signature of representative or person making charge)

(Print/type name and title or office, if any)

Tel. No.  
716-608-3427

Office, if any, Cell No.

Fax No.

e-mail  
ihayes@hayesdolce.com

Hayes Dolce

Address 135 Delaware Ave., Suite 502, Buffalo, NY 14202

Date 2-16-23

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case <b>03-CA-312362</b>	Date Filed <b>2/17/2023</b>

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Tesla, Inc.		b. Tel. No. 716-319-9600
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code) 13101 Harold Green Rd., Austin, TX 78725  1339 South Park Ave., Buffalo, NY 14220	e. Employer Representative Elon Musk, CEO; (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)@tesla.com; (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)@tesla.com	g. e-mail <b>erm@tesla.com</b>  h. Number of workers employed 2,000
i. Type of Establishment (factory, mine, wholesaler, etc.) Factory	j. Identify principal product or service Renewable Energy Technology	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

## 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

In February 2023, immediately following workers announcing a union campaign at the Tesla Gigafactory 2 facility, the above-named employer, through CEO Elon Musk and/or his agents and representatives, caused the Union's Twitter account (@united\_tesla) to be shadow banned from the Twitter platform. The shadow ban caused the Union's account to be less accessible and functionally hidden from workers and the public on Twitter, thereby stopping or discouraging protected concerted and/or union activity.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)  
Rochester Regional Joint Board, Workers United

4a. Address (Street and number, city, state, and ZIP code) 2495 Main St., Suite 556 Buffalo, NY 14214	4b. Tel. No. 585-473-3280
	4c. Cell No.
	4d. Fax No.
	4e. e-mail <b>gbonadonnajr@rrjb.org</b>

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)  
Workers United, a/w SEIU

## 6. DECLARATION

I declare that I have read the above charge and that the statements  
are true to the best of my knowledge and belief.

Ian Hayes, Attorney

(signature of representative or person making charge)

(Print/type name and title or office, if any)

Hayes Dolce

Address 135 Delaware Ave., Suite 502, Buffalo, NY 14202

Date 2-16-23

Tel. No.  
716-608-3427

Office, if any, Cell No.

Fax No.

e-mail  
**ihayes@hayesdolce.com**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

INTERNET  
FORM NLRB-501  
(2-08)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

03-CA-312373

Date Filed

2/17/2023

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer

Tesla

b. Tel. No.

c. Cell No. (b) (6), (b) (7)(C)

f. Fax No.

d. Address (Street, city, state, and ZIP code)

1339 South Park Ave

Buffalo, NY 14220

e. Employer Representative

(b) (6), (b) (7)(C)

g. e-Mail

(b) (6), (b) (7)(C)@tesla.com

h. Number of workers employed  
2100

i. Type of Establishment (factory, mine, wholesaler, etc.)

Factory

j. Identify principal product or service

Solar panel manufacturing and autopilot program

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3)

of the National Labor Relations Act, and these unfair labor

practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On or about (b) (6), (b) (7)(C), 2023, it, by its officers, agents, and representatives, terminated the employment of (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) because of (b) (6) membership and activities in behalf of Rochester Regional Joint Board, Workers United, a labor organization, and at all times since such date it has refused and does now refuse to employ the above-named employee.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No.

4c. Cell No. (b) (6), (b) (7)(C)

4d. Fax No.

4e. e-Mail

(b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

(b) (6), (b) (7)(C)

By

(b) (6), (b) (7)(C)

(Print/type name and title or office, if any)

Tel. No.

Office, if any, Cell No.

(b) (6), (b) (7)(C)

Fax No.

e-Mail

(b) (6), (b) (7)(C)

Address (b) (6), (b) (7)(C)

2-17-23

(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



**INSTRUCTIONS:**

**File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.**

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT			
a. Name of Employer Tesla, Inc.		b. Te . No. 716-319-9600	
		c. Ce . No.	
		f. Fax. No.	
d. Address (Street, city, state, and ZIP code) 13101 Harold Green Rd., Austin, TX 78725  1339 South Park Ave., Buffalo, NY 14220		e. Employer Representative Elon Musk, CEO  See Attachment	
		g. e-mail erm@tesla.com	
		h. Number of workers employed 2,000	
i. Type of Establishment (factory, mine, wholesaler, etc.) Factory		j. Identifying principal product or service Renewable Energy Technology	
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See Attachment			
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Rochester Regional Joint Board, Workers United			
4a. Address (Street and number, city, state, and ZIP code) 2495 Main St., Suite 556 Buffalo, NY 14214		4b. Te . No. 585-473-3280	
		4c. Ce . No.	
		4d. Fax No.	
		4e. e-mail gbonadonnajr@rrjb.org	
5. Full name of national or international labor organization of which this is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) Workers United, a/w SEIU			
<div>6. DECLARATION</div> <div>I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.</div> <div>/s/ Michael Dolce Michael Dolce, Attorney</div> <div>(signature of representative or person making charge) (Print/type name and title or office if any)</div> <div>135 Delaware Ave., Suite 502, Buffalo, NY 14202 February 20, 2023</div> <div>Address Date</div>		Te . No. 716-912-3480	
		Office, if any, Ce . No.	
		Fax No.	
		e-mail mdolce@hayesdolce.com	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA) 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

## **Attachment to Charge Against Employer**

### **Section 1.e - Employer Representatives**

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) [@tesla.com](#)

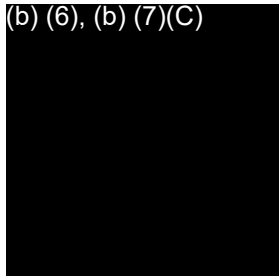
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) [@tesla.com](#)

### **Section 2 – Basis of Charge**

On February 15 and 16, 2023, in the immediate days after workers announced their Union campaign at the Tesla Gigafactory 2 facility in Buffalo, New York, the above-named Employer terminated dozens of individuals from its Autopilot Department, including but not limited to:

(b) (6), (b) (7)(C)



The above-named Employer terminated these individuals in retaliation for union activity and to discourage union activity.

The Union seeks injunctive relief under Section 10(j) of the Act to prevent irreparable destruction of employee rights resulting from Tesla's unlawful conduct.